IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl.Rev.Pet.No. 1565 of 2007()

ST.989/2005 of ADDL. CHIEF JUDICIAL MAGISTRATE COURT, TRIVANDRUM

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REVN. PETITIONER: COMPLAINANT

A.S.PRAFUL KUMAR, S/O.APPUKUTTAN NAIR,
THRIKKARTHIKA, KALATHIL, PARASUVAIKLA P.O.,
PARASSALA.

BY ADV. SRI.M.R.SUDHEENDRAN

RESPONDENTS: ACCUSED

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1. M/S.A.J.AUTOMOBILES & ENGINEERING WORKS,
   42 P, INDUSTRIAL DEVELOPMENT AREA, KOCHUVELI,
   THIRUVANANTHAPURAM.

2. SRI.GANESH, M/S A.J.AUTOMOBILES &
   ENGINEERING WORKS, 42 P, INDUSTRIAL DEVELOPMENT
   AREA, KOCHUVELI, THIRUVANANTHAPURAM.

3. STATE OF KERALA REP.BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SMT. LATHA THANKAPPAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1565 of 2007

Dated this the 10th day of April, 2007

O R D E R

The revision petitioner is the complainant in the proceedings initiated under Section 138 of the Negotiable Instruments Act which stands dismissed under Section 204(4) of the Code of Criminal Procedure.

2. It is submitted that the revision petitioner could not take steps and appear before the court below on account of a wrong noting of the posting date. In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the matter. Revision petitioner shall appear before the court below on 30.4.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl